



## County Planning Department Hearing

# AGENDA

Road Names  
Minor Use Permits  
Lot Line Adjustments  
Administrative Fine Appeals

**MEETING DATE: Friday, August 19, 2016**

**HEARING OFFICER: ROB FITZROY**

### **MEETING LOCATION AND SCHEDULE**

The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, 1055 Monterey St., Room #D170, County Government Center, San Luis Obispo, CA., on the first and third Fridays of each month. The Board of Supervisors Chambers are located on the corner of Santa Rosa and Monterey Streets.,

Meeting Begins

9:00 a.m.

*ALL HEARINGS ARE ADVERTISED FOR 9:00 A.M. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. THE PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.*

### **MATTERS TO BE CONSIDERED**

#### **PUBLIC COMMENT PERIOD**

1. Members of the public wishing to address the Planning Department Hearing Officer on consent agenda items and matters other than hearing items may do so at this time, when recognized by the Hearing Officer. Presentations are limited to three minutes per individual.

#### **CONSENT AGENDA**

2. Unless pulled from the consent agenda by the Planning Department Hearing Officer for separate action, the following items will be acted on collectively because individual public hearings were not requested or required pursuant to Land Use Ordinance Section 22.062.050B.4.b. or Coastal Zone Land Use Ordinance Sections 23.02.033b.(2)(ii) and 23.02.033b.(4)(ii):
3. June 3, 2016 PDH Minutes
4. June 17, 2016 PDH Minutes
5. July 15, 2016 PDH Minutes
6. A request by **JOHN SOMERS** for a Minor Use Permit / Coastal Development Permit (DRC2015-00103) to allow for the remodel of the existing second and third story decks, with an additional

206 square feet of new decking. The project also involves an interior remodel to the existing 2,486 square foot three story single family residence. The project will result in the disturbance of approximately 200 square feet on a 5,227 square-foot parcel. The project requires the purchase of 13 square feet of Transfer of Development Credits (TDCs). The proposed project is in the Residential Single Family land use category and is located at 5249 Whitehall Avenue, on the southwest corner of Hastings Street and Whitehall Avenue, within the community of Cambria. The site is in the North Coast planning area. Also to be considered is the approval of the environmental document. A Class 1 categorical exemption was issued for this project. (Rescheduled from the July 15, 2016 meeting.)

**County File Number: DRC2015-00103**  
Supervisory District: 2  
**Project Manager: Cody Scheel**

Assessor Parcel Number: 022-227-019  
Date Accepted: May 20, 2016  
**Recommendation: Approval**

7. A request by **VERNE & NANETTE KUSWA** for a Minor Use Permit/ Coastal Development Permit (DRC2015-00099) to allow for an addition of a 242 square foot upper level deck to an existing 1,792 square foot two story single family residence with an attached (2) car garage. The project is located within the Residential Single-Family land use category and is located at 1700 Londonderry Drive, at the intersection of Arliss Dr and Londonderry Dr in the community of Cambria. The site is in the North Coastal Planning Area. Also to be considered is the approval of the environmental document. A Categorical Exemption was issued for this project.

**County File Number: DRC2015-00099**  
Supervisory District: 2  
**Project Manager: Schani Siong**

Assessor Parcel Number: 024-241-024  
Date Accepted: April 7, 2016  
**Recommendation: Approval**

8. A request by **CAROLYN & DAVID SANTOS** for a Minor Use Permit/ Coastal Development Permit (DRC2015-00091) to allow for an addition of 288 square foot upper level deck and stairs to an existing 3,118 square foot two story single family residence. The project is located within the Residential Single-Family land use category and is located at 125 Pacific Avenue, approximately 100 feet southeast of the intersection of 1st Street and Pacific Avenue, in the community of Cayucos. The site is in the Estero Planning Area. Also to be considered is the approval of the environmental document. A categorical exemption was issued for this project.

**County File Number: DRC2015-00091**  
Supervisory District: 2  
**Project Manager: Schani Siong**

Assessor Parcel Number: 064-123-012  
Date Accepted: April 7, 2016  
**Recommendation: Approval**

9. A request by **DON ERNST** for a Minor Use Permit (DRC2015-00057) to allow for the development of a 183 space limited-term parking lot with a 200 square-foot office building. The request includes a modification to parking lot construction standards to allow gravel surfacing and reduced landscaping. The parking lot will serve as a transit station for shuttles to convey employees to and from off-site work locations, as well as provide rental vehicle parking for the airport. The project will result in the disturbance of the entire 2.06 acre site. The project is located within the Commercial Service land use category and is located on the north side of Farmhouse Lane, approximately 400 feet from the Farmhouse Lane and Broad Street intersection, immediately east of the City of San Luis Obispo. The site is in the San Luis Obispo (North) subarea of the San Luis Obispo Planning Area. This project is exempt under CEQA. (Rescheduled from the July 15, 2016 meeting.)

**County File Number: DRC2015-00057**  
Supervisory District: 3  
**Project Manager: Brandi Cummings**

Assessor Parcel Number: 076-511-040  
Date Accepted: March 7, 2016  
**Recommendation: Approval**

10. A request by **PACIFIC GAS & ELECTRIC COMPANY** for a Minor Use Permit/Coastal Development Permit (DRC2015-00116) to allow for grading on slopes greater than 20 percent. The project consists of the removal of a 40-year old earthen berm and damaged 48-inch x 40-foot metal corrugated culvert from the bed and bank of Pecho Creek, adjacent to Diablo Canyon Road. The project will also remove vegetation and debris in Pecho Creek, for 80 linear feet upstream of the berm. The removed berm soil will be exported and spread on a previously permitted spoils disposal site 0.3 miles north of the Diablo Canyon Nuclear Power Plant main building, and approximately 4.3 miles west of the berm removal area. Following berm removal, disturbed creek banks will be recontoured to match the existing slope contours immediately adjacent and upstream of the berm removal area. Up to 15 multi-trunked willows will be removed as part of this project. A site stabilization plan has been developed for assistance with revegetation of banks, mitigation, and enhancement of riparian habitat for wildlife. Construction equipment will be staged on the south side of Diablo Canyon Road, within an existing graded and gravel-surfaced turn-out. The project will result in 3,780 cubic yards of earthwork cut and will result in the disturbance of approximately 22,500 square-feet (0.52 acres) within a 4.3 acre project limit area, across three parcels totaling approximately 2,220 acres. The spoils disposal site is located on a separate parcel totaling 968 acres. The proposed project is within the Agriculture and Public Facilities land use categories and is located approximately 115 ft. north of Diablo Canyon Road at the intersection with Pecho Creek, approximately 2 miles northwest of the community of Avila Beach. The site is in the San Luis Bay Coastal planning area. Also to be considered is approval of the environmental document. A Negative Declaration was issued on July 14, 2016.

**County File Number: DRC2051-00116**

APN(s): 076-011-013, 076-151-012,  
076-171-016, 076-171-032

Supervisory District: 3

Date Accepted: May 10, 2016

**Project Manager: Brandi Cummings**

**Recommendation: Approval**

11. A request by **ONSORC, LLC**, for a Minor Use Permit (DRC2015-00075) to allow construction of an 11,350 square foot office/warehouse building. The project site is Lot 3 of Tract 2368, a commercial service business park subdivision, recorded in 2006. The project will result in disturbance of the entire 1.01 acre parcel. The proposed project is within the Commercial Service land use category and is located on Farmhouse Lane, east of Highway 227, adjacent to the southern city limits of the City of San Luis Obispo. The site is in the San Luis Obispo subarea of the San Luis Obispo planning area. Also to be considered is the approval of the environmental determination. The Environmental Coordinator finds that the previous Mitigated Negative Declaration that was adopted for Tract 2368 is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Mitigated Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted on August 14, 2003.

**County File Number: DRC2015-00093**

Assessor Parcel Number: 076-512-003

Supervisory District: 3

Date Accepted: June 21, 2016

**Project Manager: Stephanie Fuhs**

**Recommendation: Approval**

## **HEARING ITEMS**

12. A request by **JOHN TENBROECK** for a Minor Use Permit/Coastal Development Permit (DRC2015-00079) to allow grading of a site with slopes over 20% for a 2,019 square-foot single-family residence with a 378 square-foot attached garage. The project will result in approximately 1,100 square-feet of site disturbance on the 1,750 square-foot parcel. The proposed parcel is

within the Residential Single Family land use category and is located at 2788 Richard Avenue, approximately 975 feet northeast from the Highway 1 and Old Creek Road intersection, in the community of Cayucos. The site is located in the Estero Planning Area. Also to be considered is approval of the environmental document. A Class 3 Categorical Exemption is proposed for this project.

**County File Number: DRC2015-00079**

Supervisory District: 2

**Project Manager: Brandi Cummings**

Assessor Parcel Number: 064-204-032

Date Accepted: May 5, 2016

**Recommendation: Approval**

13. A request by **JOHN BIRKLER** for a Minor Use Permit (DRC2015-00075) to convert a portion of an existing permitted workshop to a 600 square-foot guesthouse, and to modify the 50 foot maximum distance standard for a guesthouse to the primary residence pursuant to County Land Use Ordinance Section 22.30.410.E. The project will result in no permanent disturbance of the 51.64 acre site. The proposed parcel is within the Rural Lands land use category and is located at 1191 Deerfield Road, approximately 0.5 miles from the Highway 46 and Hidden Valley Road intersection, in the Templeton Gap area. The site is located in the Adelaida subarea of the North County Planning Area. This project is exempt under CEQA. (Rescheduled from the July 15, 2016 meeting)

**County File Number: DRC2015-00075**

Supervisory District: 1

**Project Manager: Brandi Cummings**

Assessor Parcel Number: 039-401-041

Date Accepted: May 4, 2016

**Recommendation: Approval**

14. A request by **FU-CHUAN TSAI (CHATHAM LANE, LLC)** for a Minor Use Permit / Coastal Development Permit (DRC2015-00130) to allow an existing 2,423 square-foot, 3-bedroom single family residence to be used as a residential vacation rental. The Minor Use Permit is requesting to modify the location standard for vacation rentals per Coastal Zone Land Use Ordinance Section 23.08.165(C)(1). The requested waiver would allow the proposed vacation rental to be located immediately adjacent to an existing vacation rental and within 50 feet of two other vacation rentals, which is closer than the location requirement allows for. The proposed project will result in no site disturbance on a 3,050 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located at 201 Chatham Lane, on the northeast corner of the Chatham Lane and Moonstone Beach Drive intersection, within the community of Cambria. The site is in the North Coast planning area. Also to be considered is approval of the environmental determination. The project is exempt under CEQA.

**County File Number: DRC2015-00130**

Supervisory District: 2

**Project Manager: Airlin M. Singewald**

Assessor Parcel Number: 022-014-039

Date Accepted: July 1, 2016

**Recommendation: Denial**

ESTIMATED TIME OF ADJOURNMENT: 10:30 a.m.

**Next Scheduled Meeting: September 2, 2016**, in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

NICOLE RETANA, SECRETARY  
COUNTY PLANNING DEPARTMENT HEARINGS

## **PUBLIC RECORDS ACT**

Supplemental correspondence and other materials for open session agenda items that are distributed to the Planning Department staff within 72 hours preceding the Planning Department Hearing meeting are available for public viewing in the Planning and Building Department located at 976 Osos Street, Room 200. With respect to documents submitted by members of the public to the Planning Department staff during a meeting, the law requires only that those documents be copied by the Clerk after the meeting for members of the public who desire copies. However, as a courtesy to others, it is requested that members of the public bring at least 4 extra copies of documents that they intend to submit to the Planning Department staff during a meeting so that those extra copies can be immediately distributed to all members of the Planning Department staff and other members of the public who desire copies.

## **DEPARTMENT OF PLANNING AND BUILDING MEETING PROCEDURES**

Planning Department Hearings are conducted under the authority of the Hearing Officer. Each item scheduled for public hearing at a Planning Department Hearing will be announced by the Hearing Officer and the hearing will be conducted as follows:

1. The Planning Department staff will present the staff report and recommendation on the matter being heard.
2. The Hearing Officer will open the public hearing and will first ask the project applicant (if any) to present any points they feel the Planning Department Hearings should understand about their proposal.
3. The Hearing Officer will ask other interested persons to present any testimony they wish to give about the proposal being considered.
4. The Hearing Officer will offer the project applicant an opportunity for rebuttal of any testimony against the proposal or to clarify information previously presented.

## **RULES FOR PRESENTING TESTIMONY**

All persons who wish to present testimony to the Planning Department Hearings in a public hearing must observe the following rules:

1. When beginning to speak, first identify yourself and place of residence. This is required for the public record. Planning Department Hearings are tape recorded.
2. All remarks must be addressed to the Hearing Officer. Conversation or debate between a speaker and a member of the audience is not permitted.
3. Please keep your remarks as brief as possible. When a number of speakers wish to testify on the same project, the Hearing Officer may limit the time for testimony to 3 minutes for individuals and 8 minutes for persons representing a group. Focus your testimony on the most important facts you wish to be considered. Avoid duplicating testimony provided by others.
4. Whenever possible, written testimony should be presented as well as oral. Written testimony can be submitted for Planning Department Hearings consideration in advance of the actual hearing date.

## **APPEALS**

If you are dissatisfied with any aspect of an approval or denial of a project, you have the right to appeal this decision to the Board of Supervisors up to 14 days after the date of action, in writing, to the Planning Department. If legitimate coastal resource issues related to our local Coastal Program are raised in the appeal, there will be no fee. If an appeal is filed for an inland project, or for a coastal project with no legitimate coastal issues, there will be a fee set by the current fee schedule. If a fee is required, it must accompany the appeal form. The appeal will not be considered complete if a fee is required but not paid. There must be an original form and original signature, a FAX is not accepted.

Planning Department Hearings decisions may also be appealable to the California Coastal Commission pursuant to Coastal Act Section 30603 and the County Coastal Zone Land Use Ordinance 23.01.043. Exhaustion of appeals at the county is required prior to appealing the matter to the California Coastal Commission. The appeal to the Board of Supervisors must be made to the Planning Commission Secretary, Department of Planning and Building, and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations contain specific time limits to appeal, criteria, and procedures that must be followed to appeal this action. The regulations provide the California Coastal Commission 10 working days following the expiration of the County appeal period to appeal the decision. This means that no construction permits can be issued until both the County appeal period and the additional Coastal Commission appeal period have expired without an appeal being filed.

Contact the Coastal Commission's Santa Cruz Office at (831) 427-4863 for further information on appeal procedures.

**HEARING IMPAIRED:** There are devices available for the hearing impaired upon request.

## **ON THE INTERNET**

This agenda may be found on the internet at: <http://www.sloplanning.org> under Quicklinks, Meeting Agendas. For further information, please call (805) 788-2947.